

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

VIRGINIA BEACH MUSIC, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	CIVIL ACTION NUMBER:
MONTGOMERY MAULERS, LLC, et al.	)	2:06-cv-90-WKW
	)	
Defendants.	)	
	)	
	)	
	)	

**MOTION FOR DEFAULT JUDGMENT**

Plaintiffs in the above-styled action hereby move, pursuant to Fed. R. Civ. P. 55(b)(2), for the entry of a default judgment against defendants Montgomery Maulers, L.L.C., Jamie Lamunyon and Wayne Lamunyon, which were each served with a copy of the summons and complaint on January 31, 2006, but have failed to plead or otherwise defend the case as required by the Federal Rules of Civil Procedure. Plaintiffs seek a judgment against the defendants, separately and severally, in an amount as to which the Court shall appear just, as specified in 17 U.S.C. § 504(c)(1), namely, not more than \$150,000 nor less than \$750 on each of the four (4) counts of the complaint, plus costs and attorney's fees. The grounds for this motion are as follows:

1. On January 31, 2006, Defendants Montgomery Maulers, L.L.C., Jamie Lamunyon and Wayne Lamunyon were duly served with a copy of the summons and complaint by process server.

2. More than twenty (20) days have passed since the said defendants were duly served. Defendants have failed to appear, plead, or otherwise defend in response to plaintiffs' complaint.

3. None of the defendants is a minor, in the military, or incompetent.

WHEREFORE, premises considered, plaintiffs respectfully request that the Court grant this Motion and enter a default judgment against defendants Montgomery Maulers, L.L.C., Jamie Lamunyon and Wayne Lamunyon, and each of them, separately and severally, in an amount not more than \$150,000 nor less than \$750 on each of the four (4) counts of the complaint, plus plaintiffs' costs and attorney's fees.

Respectfully submitted,

s/ Dylan C. Black

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Dylan C. Black (ASB-6595-K72D)

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CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

None

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

Montgomery Maulers, LLC  
1050 Eastdale Mall  
Post Office Box 230603  
Montgomery, AL 36117

Ms. Jamie LaMunyan  
Montgomery Maulers, LLC  
1050 Eastdale Mall  
Post Office Box 230603  
Montgomery, AL 36117

Mr. Wayne LaMunyan  
Montgomery Maulers, LLC  
1050 Eastdale Mall  
Post Office Box 230603  
Montgomery, AL 36117

Respectfully submitted,

s/ Dylan C. Black  
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